

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
Alexandria Division**

In re:)	
)	Bankruptcy Case
Eagle Properties and Investments LLC,)	No. 23-10566-KHK
)	Chapter 7
Debtor.)	
<hr style="width: 50%; margin-left: 0;"/>		

APPLICATION TO EMPLOY COUNSEL TO THE TRUSTEE

Comes now, H. Jason Gold, the Chapter 7 Trustee (“Trustee”) in the above captioned matter and files this Application to Employ Counsel to the Trustee, pursuant to 11 U.S.C. § 327, and states to the Court as follows:

1. On April 6, 2023, Eagle Properties and Investments LLC (the “Debtor”) filed a voluntary petition for relief under Chapter 11 of Title 11 of the United States Bankruptcy Code (the “Bankruptcy Code”).

2. On March 21, 2024, the Order of Conversion of Chapter 11 to Chapter 7 was filed (Docket No. 359). H. Jason Gold was appointed Chapter 7 Trustee.

3. The Trustee wishes to employ the law firm of Nelson Mullins Riley & Scarborough LLP as counsel to the Trustee to represent him in connection with the sale or other disposition of real property, investigation into other assets of the estate to include any potential litigation claims, as well as other matters that may require the services of Counsel in this case.

4. Subject to paragraph 5 below, Nelson Mullins will represent the Trustee with

Dylan G. Trache, Va. Bar No. 45939
NELSON MULLINS RILEY & SCARBOROUGH LLP
101 Constitution Avenue, NW, Suite 900
Washington, DC 20001
202.689.2800
Counsel to the Chapter 7 Trustee

respect to legal work necessary to effectuate the sales and will include representing the Trustee in connection with drafting the necessary sale motions and attending any hearings relating to the sales, and any other services necessary to effectuate the sale of the real property. Nelson Mullins will also assist the Trustee with respect to other matters as required from time to time, including the analysis and preservation of estate assets. The Trustee recognizes that parties in interest, including the United States Trustee, reserve their rights with respect to any potential objection to any application for compensation filed in connection with this application.

5. As set forth in the accompanying verified statement, Nelson Mullins currently represents certain creditors of the Debtor in matters wholly unrelated to this case. The Trustee does not seek to employ Nelson Mullins in any capacity that would require the firm to take actions adverse to any creditors it currently represents. To the extent the Trustee determines that he requires counsel to represent him in matters adverse to any creditors which are current clients of Nelson Mullins, he will seek to employ separate counsel for that specific purpose. Accordingly, the Trustee submits that the employment of Nelson Mullins is appropriate and consistent with section 327(c) of the Bankruptcy Code.

6. The names and current hourly billing rates of Nelson Mullins' professionals and paraprofessionals expected to be most actively involved in this case are set out below. The hourly rates set forth herein are below the standard hourly rate of each professional. These rates are subject to approval of the Court and may also be subject to periodic increases in the normal course of business.

<u>Professional</u>	<u>Hourly Rate</u>
Dylan G. Trache Partner	\$590.00/hour

Doan T. Phan Associate	\$475.00/hour
Linnea Hann Senior Paralegal	\$260.00/hour

7. To the best of the Trustee's knowledge, information and belief, Nelson Mullins does not have any connection with the Debtor, creditors, or any other party in interest herein, their respective attorneys and accountants, the United States Trustee, or any person employed in the office of the United States Trustee, other than representing the parties in matters wholly unrelated to this case, as set forth in the attached verified statement.

8. To the best of the Trustee's knowledge, information and belief, Nelson Mullins does not hold or represent any interest adverse to the bankruptcy estate. A verified statement executed on behalf of Nelson Mullins in accordance with the provisions of 11 U.S.C. § 327 and Fed. R. Bankr. P. 2014 is attached hereto.

9. It is in the best interest of the Debtor's estate, the creditors and parties in interest to authorize the employment of Nelson Mullins.

WHEREFORE, the Trustee respectfully requests that he be authorized to employ and retain Nelson Mullins Riley & Scarborough LLP to represent him for the purposes set forth herein.

Respectfully submitted,

H. JASON GOLD, TRUSTEE

By Counsel

NELSON MULLINS RILEY & SCARBOROUGH LLP
101 Constitution Avenue, NW / Suite 900
Washington, DC 20001
Tel: 202.689.2800
Fax: 202.689.2860
Email: dylan.trache@nelsonmullins.com

By: /s/ Dylan G. Trache
Dylan G. Trache, Va. Bar No. 45939

Counsel to the Chapter 7 Trustee

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 1st day of April, 2024, the foregoing Application was served via CM/ECF to the parties registered to receive such notices, including:

Michael T. Freeman
Office of the United States Trustee
1725 Duke Street, Suite 650
Alexandria, VA 22314

Nancy Greene
N D Greene PC
3977 Chain Bridge Rd, Suite 1
Fairfax, VA 22030

Christopher A. Jones
Whiteford Taylor & Preston, LLP
3190 Fairview Park Dr., Suite 800
Falls Church, VA 22042

Jeffery T. Martin, Jr.
Martin Law Group, P.C.
8065 Leesburg Pike, Ste 750
Vienna, VA 22182

John E Reid
Martin Law Group, P.C.
8065 Leesburg Pike, Suite 750
Vienna, VA 22182

Joshua David Stiff
Whiteford Taylor Preston LLP
249 Central Park Avenue, Suite 300
Virginia Beach, VA 23462

/s/ Dylan G. Trache
Dylan G. Trache